

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FILED - GR
June 27, 2025 12:39 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY:JMW SCANNED BY: JV 16-27

**DERRICK LEE CARDELLO-SMITH, #267009
SEXUAL ASSAULT SURVIVOR, & FOR OTHER
SURVIVORS OF RAPE & SEXUAL ASSAULT,**

1:25-cv-718

Hala Y. Jarbou - Chief U.S. District Judge

**SEAN COMBS, a/k/a/ Diddy
a/k/a/ Puff Daddy, a/k/a/ P. Diddy,
KYM L. WORTHY, Wayne County Prosecutor,
WAYNE COUNTY PROSECUTORS OFFICE,
HARVEY F. TENNEN, Wayne County Court Judge,
JOHN D. O'HAIR, Former Wayne County Prosecutor,
PATRICIA PENMAN, Detective for Wayne County
ESTATE OF HARVEY F. TENNEN, Wayne County Court Judge
ESTATE OF JOHN D. O'HAIR, Former Wayne County Prosecutor,
Defendants,**

**COMPLAINT
AND DEMAND FOR JURY TRIAL**

Plaintiff, Derrick Lee Cardello-Smith, In the above cause, now presents this **COMPLAINT and DEMAND FOR JURY TRIAL** for the Violations of Michigan Compiled Law 600.2907 and Michigan Compiled Law 600.5807 where the defendants knowingly conspired to violate these said laws in order to frame the Plaintiff and breach of agreement, breach of contract between the Plaintiff while a Citizen and Defendants when they were Government Officials employed by the County of Wayne and in support of this demand for jury trial, the plaintiff submits **TRANSCRIPTS OF THE MEETING BETWEEN KYM. L. WORTHY, AND OTHER DEFENDANTS FORCING THE AGREEMENT TO A CITIZEN...BY COUNTY OFFICIALS.**

THESE ARE TRANSCRIBED PROCEEDINGS that detail all the actions of the Defendants and their Violations of this Plaintiffs constitutional rights, and the demand for jury trial is listed by the reasons detailed in the brief in support and which is carrying out a violation of these laws that clearly unlawful and completely built on lies, false police reports, false charges, attempted murder of this Plaintiff by the defendants, and the cover-up of this plaintiffs sexual assault by the defendant Sean Combs using the defendants themselves to cover-up the rape and in support of this, the plaintiff states the following factually based claims taken from the OWN **TESTIMONY OF RESPONDENT KYM L. WORTHY, CURRENT WAYNE COUNTY PROSECUTOR WHO APPEARED FOR TESTIMONY IN THE CHAMBERS OF JUDGE HARVEY TENNEN ON MAY 1, 1998.**

Plaintiff states that the Defendants violated the laws described above and must be held to account for these crimes.

AMOUNT OF DAMAGES SOUGHT

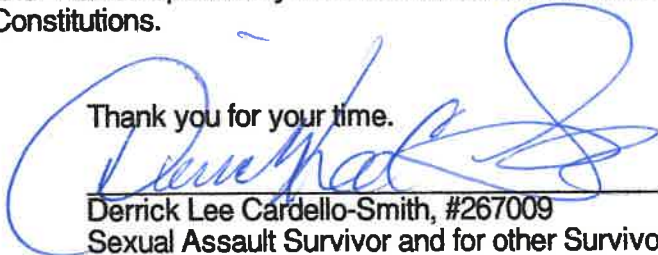
Plaintiff is seeking damages to be entered against the defendants in the amount of **200,000,000.00 (Two-Hundred-Million Dollars)** and for it to be entered in the defendants in their individual and official capacities.

DEMAND FOR A JURY TRIAL

Plaintiff makes this Demand for a Jury trial under **Rule 38 of the Federal Rules of Civil Procedure, specifically Rule 38 (1)(b)** and the Constitution of the State of Michigan and the United States of America and preserves this Right to a Jury Trial and Plaintiff specifically does this under the 7th Amendment to the State and Federal Constitutions.

Thank you for your time.

June 23, 2025


Derrick Lee Cardello-Smith, #267009
Sexual Assault Survivor and for other Survivors
Of Rape and Sexual Assault.

CERTIFICATE OF SERVICE

I swear and declare that I served one copy of this pleading on each defendant at their respective addresses of record by mailing to them certified Mail Restricted delivery and Return receipt requested on _____, 2025.


Derrick Lee Cardello-Smith

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK LEE CARDELLO-SMITH, #267009
SEXUAL ASSAULT SURVIVOR, & FOR OTHER
SURVIVORS OF RAPE & SEXUAL ASSAULT,

Case No: 25-_____

Honorable: _____

SEAN COMBS, a/k/a/ Diddy
a/k/a/ Puff Daddy, a/k/a/ P. Diddy,
KYM L. WORTHY, Wayne County Prosecutor,
WAYNE COUNTY PROSECUTORS OFFICE,
HARVEY F. TENNEN, Wayne County Court Judge,
JOHN D. O'HAIR, Former Wayne County Prosecutor,
PATRICIA PENMAN, Detective for Wayne County
ESTATE OF HARVEY F. TENNEN, Wayne County Court Judge
ESTATE OF JOHN D. O'HAIR, Former Wayne County Prosecutor,
Defendants,

COMPLAINT

CAUSE OF ACTION

The cause of this action is BREACH OF AGREEMENT BETWEEN THE CITIZEN (Plaintiff) and GOVERNMENT COUNTY EMPLOYEES (Defendants) where they each specifically entered into an agreement and contract with this Plaintiff on May 1, 1998 while they were in their official positions and acted out their own individual desires, wishes and acts to an agreement with this Plaintiff contrary to MCL 600.2907 and MCL 600. 5807 requiring this plaintiff to seek punitive, compensatory and monetary damages against the defendants and VOIDABILITY OF THE CONTRACT.

This action involves DIVERSITY, GOVERNMENT OFFICIALS OF WAYNE COUNTY, COUNTY OFFICIALS, OFFICIALS OF THE WAYNE COUNTY CIRCUIT COURT, THE ESTATE OF PARTIES AND PERSONS LISTED AS DEFENDANTS, and it involves the strict violation of this Plaintiffs constitutional rights to have the government employees uphold their end of the contract and agreements and to have said contract be enforced by this court or voided y this court and the matter brought to a jury trial.

JURISDICTION AND VENUE

This court has Jurisdiction and venue as that it involves DIVERSITY, and the actions arose in the State of Michigan, County of Wayne, where the Plaintiff and

defendants met for said contractual agreements, and where the Defendants even conducted a transcribed proceeding from the hearing and Plaintiff conducting the actual questioning of the Defendant Kym L. Worthy Under Oath, and that is what the Plaintiff is using to confirm the actual contractual agreement between all the parties.

The Court has supreme Jurisdiction over this matter as that the defendant Sean Combs is linked at this through verbal authentication by The Witness Kym L. Worthy and it is supported by the record itself, therefore, this court has jurisdiction over this matter completely.

The codefendant Sean Combs resided and conducted business in New York and is therefore able to fall within the Jurisdiction of either New York or Michigan, because he has residential properties in both States which ever this court chooses.

CAPACITY DEFENDANTS ARE SUED IN

Plaintiff sues each defendant in their Individual and official capacity.

The Office of the Wayne County Prosecutor is sued as the Holder of the Official Capacity that the defendants exercised its jurisdiction under.

ADDRESSES OF THE DEFENDANTS

SEAN COMBS, a/k/a/ Diddy-a/k/a/ Puff Daddy, a/k/a/ P. Diddy, Metropolitan Detention Center, Brooklyn, New York.

KYM L. WORTHY, Wayne County Prosecutor, 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

WAYNE COUNTY PROSECUTORS OFFICE, 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

HARVEY F. TENNEN, Wayne County Court Judge, 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

JOHN D. O'HAIR, Former Wayne County Prosecutor, 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

PATRICIA PENMAN, Detective for Wayne County 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

ESTATE OF HARVEY F. TENNEN, Wayne County Court Judge, 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

ESTATE OF JOHN D. O'HAIR, Former Wayne County Prosecutor, 5301-Russell Street, Detroit, MI 48226 and 1441 St. Antoine Street-Detroit, MI 48226

BRIEF IN SUPPORT

Plaintiff submits to this court that the defendants have Violated Michigan Compiled Law, 600.2907, Michigan Compiled Law 600.5807 which protects Civilians and Citizens of the State of Michigan against Prosecution by Process of Civil or Criminal Procedure and most especially based on Governmental Contracts and Agreements.

These laws were passed by the Legislature and the citizens of the state of Michigan to Ensure that County Government Official sand Citizens, Civilians and members of the Public are protected from agreements that are not upheld or forced to be entered into by said County Government Officials, specifically under the Revised Judicature Act f 1961. The language is very clear and Plaintiff submits that the Defendants have entered into that agreement with this Plaintiff and have broken that agreement with this Plaintiff rendering it completely void.

To Support this claim, the Plaintiff submits a Clearly detailed transcript of the **May 1, 1998 Contractual Proceedings of the Plaintiff , Defendants and most importantly, Witness Kym L. Worthy, Under Oath.**

These transcripts confirm the claims raised by this Plaintiff and the demand sought in the complaint.

The transcripts confirm and show the following:

1. SEAN COMBS, a/k/a/ Diddy,a/k/a/ Puff Daddy, a/k/a/ P. Diddy, did sexually assault this plaintiff and then paid to have it covered up by the codefendants.

2. KYM L. WORTHY, Wayne County Prosecutor, and former Judge of the Recorders court did in fact Testify that she along with the other defendants entered into a conspiracy to frame and convict this plaintiff as the transcribed documents attached into this herein pleading support completely.

3. WAYNE COUNTY PROSECUTORS OFFICE, the office of the Wayne County Prosecutor beginning with John O'Hair and Kym worthy has been used to destroy this plaintiffs life and hold this plaintiff for decades on false charges and has been used to uphold the illegal activities of the Defendants combined and Individual efforts to frame this Plaintiff, and most importantly VIOLATE THIS PETITIONERS DUE PROCESS RIGHTS.

4. HARVEY F. TENNEN, Wayne County Court Judge, knowingly allowed the defendants Kym L. Worthy, John O'hair to appear in a court hearing and testify to their many crimes and to also, destroy this Petitioners Freedom and frame this Plaintiff for crimes that they knew this Plaintiff is and was innocent of, as proven by the transcripts submitted herein on the record.

5. JOHN D. O'HAIR, Former Wayne County Prosecutor knowingly allowed Judge Kym Worthy, and Current Wayne County Prosecutor to Commit crimes and frame this Plaintiff, and he allowed her to Waive her Judicial and Governmental

Immunity in the transcribed proceedings that are herein attached and he did so willingly to violate this plaintiffs due process rights and frame this plaintiff for crimes plaintiff did not do, as the transcripts herein prove.

PATRICIA PENMAN, Detective for Wayne County, Patricia Penman, the ex-girlfriend and detective in the case of this Plaintiff has been used to incarcerate this Plaintiff on false rape charges and also the attempted murder of this plaintiff, when it was known all along that the defendants were in fact, guilty of committing crimes against this plaintiff, as the transcripts attached herein do support. and most importantly, Defendant Patricia Penman, dislikes the Plaintiff for plaintiff ending the relationship Plaintiff had with this defendant, and she entered into the agreement and contract for said purpose of revenge.

TRANSCRIPTS

I submit these transcripts as my offer of proof in this case to support this claim and I state that the defendants have in fact violated many laws and are still trying to keep this plaintiff incarcerated on crimes that his plaintiff did not commit and in order to hide their own illegal activities, as I have tried to get the courts to hear and see in every single appeal I have made in my criminal appeals, and I have always been denied by the courts who are only interested in Sticking to Procedure and not getting to the truth which I have been saying for years....that I am innocent of these crimes, and I have been framed of these crimes and after decades of the fight that I have taken, I have been denied every step of the way....Now, I am forced to reveal the full truth of these defendants and what they have done to this plaintiff by showing them in their own words that they have been lying about me, lying to the public and most importantly, have built their entire legal career based upon lies and it is detailed within the attached 24 pages of transcripts herein attached to support my fight for freedom and I ask this Court to consider these transcripts during this process and that I am granted my relief I have been entitled to for decades and been denied for decades and I ask for it immediately.

OFFER OF PROOF

Transcripts of May 1, 1998 proceeding where Kym Worthy, Admitted to framing me and the Judge presiding over the case admits to framing me and working with Sean Combs as I have been claiming all along and been denied and called a liar.

Nothing speaks louder then the defendants own words and now I am bringing their own words to this courts jurisdiction and attention and I ask that this court grant me the relief listed.

CONVICTION INTEGRITY UNITS ANSWER

I also presented the Conviction Integrity Unit with these transcripts, and letters about this entire matter and The Wayne County Prosecutors Deputy Chief herself Valerie Newman stated that she "DOES NOT DISAGREE WITH MY ASSESSMENT" and this is proven by her letter attached as OFFER OF PROOF #2...See it and read it for yourself.

You can even contact her and she will confirm that this is HER LETTER TO ME and that it is what she wrote back to me.

Then the Public Integrity Unit was supposed to investigate it and they did not because RESPONDENT PATRICIA PENMAN IS IN CHARGE OF THAT OFFICE TOO.

This whole case is littered with Crimes Committed by the defendants in their official capacities and individual capacities, all to frame this plaintiff and it is something that this court must consider as that the Wayne County Prosecutors Own Employee has verified it as it is detailed in the offer of proof attached.

RELIEF SOUGHT

Wherefore, Plaintiff prays this court will grant the relief of allowing this matter to proceed to a Jury Trial, Issuing the Summons and Returning one copy of the complaint back to the plaintiff for service upon the defendants and grant any further relief this court deems necessary and appropriate.

Respectfully Yours,

June 23, 2025



Derrick Lee Cardello-Smith

#267009

Pro Se Plaintiff

Ionia Maximum Correctional Facility

1576 W. Bluewater Highway

Ionia, MI 48846



FIRST-CLASS



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Derrick Lee Cardello-Smith
#267009
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

Mailed on June 23, 2025

Clerk of the Court
United States District Court-Western
399 Federal Building
110 Michigan Street, NW
Grand Rapids, MI 49503